

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : RAMAJOIS, R. M.
Appl. No. : 10/766,917
Filed : January 30, 2004
Title : GEAR HOUSING VENT
Group Art Unit : 3682
Examiner : PILKINGTON, J.
Docket No. : 08200.809

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

January 8, 2008

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the notice of non-compliant appeal brief, dated December 27, 2007, please find attached a revised section 5, directed to the concise explanation of the subject matter defined in independent claim 1 & 7. In accordance with the Examiner's suggestion, only section (5) Summary of Claimed Subject Matter is attached hereto. The revised section includes specific reference to the specification, page and line numbers, as well as the drawing figures.

Should the Board need any additional information, please do not hesitate to contact the undersigned.

Respectfully submitted:

By: 

Matthew F. Johnston
Reg. No. 41,096

Berenato, White & Stavish
6550 Rock Spring Drive, Ste 240
Bethesda, Maryland 20817
Tel. 301-896-0600
Fax 301-896-0607

(5) SUMMARY OF CLAIMED SUBJECT MATTER

The instant invention, as claimed in independent claim 1, is directed to a vent 1 assembly for a housing 51 containing a lubricating fluid and accommodating a gear mechanism. *Page 3, lines 19-24, Figs 1-3; page 5 lines 22-2, Figs 4-5.* The vent includes a hollow casing 5 having a continuous side wall with at least one hole 15 there through. *Page 3, lines 19-24, Figs 1-3.* The hollow casing 5 has an opening 13 formed in a lower portion thereof and a vent tube 3 extending within the hollow casing 5 so as to form a cavity between an inner peripheral surface of said casing 5 and an outer peripheral surface of the vent tube 3. *Page 4, lines 1-11, Figs 1-3.* The vent tube 3 has a first open end 7 disposed within the hollow casing and a second end 7 (proximate 9) extending outside the casing in communication with an external environment. *Page 4, lines 1-11, Figs 1-3.*

The instant invention, as claimed in independent claim 7, is directed to a vent assembly 1 in combination with a gear housing 51 filled with a lubricating fluid and accommodating a gear mechanism. *Page 3, lines 19-24, Figs 1-3; page 5 lines 22-2, Figs 4-5.* The vent assembly 1 includes a hollow casing 5 secured substantially within the housing 51. *Page 3, lines 19-24, Figs 1-3.* The casing 5 has a continuous side wall having at least one hole 15 there through and terminates at a lower portion having an opening 13 to facilitate return of entrained lubricant to the gear housing 51. *Page 4, lines 1-11, Figs 1-3.* A vent tube 3 extends within the hollow casing 5 so as to form a cavity between an inner peripheral surface of said casing 5 and an outer peripheral surface of the vent tube 3. *Page 3, lines 19-24, Figs 1-3.* The vent tube 3 includes a first open 7 end disposed within the hollow casing and a second end 7 (proximate 9) extending outside the casing 5 and in communication with an external environment relative to the gear housing 51. *Page 4, lines 1-11 Figs 1-3.*